

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JESSICA K. MASHBURN,

Plaintiff,

v.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

Case No. C22-5538-JHC

**ORDER GRANTING MOTION TO
REOPEN CASE**

This matter comes before the Court on Plaintiff's motion to reopen this case. Dkt. # 7. On July 28, 2022, Plaintiff filed a Complaint seeking review of the Commissioner's decision denying social security benefits. Dkt. # 3. By January 3, 2023, Plaintiff still had not served Defendant, prompting the Court to issue an order directing Plaintiff to file proof of service on Defendant no later than January 17, 2023, or to show cause as to why this case should not be dismissed. Dkt. # 5. In the order, the Court advised that Plaintiff's failure to comply may result in the dismissal of this case. *Id.* at 2. After Plaintiff failed to effectuate service and respond to the Court's order, the Court dismissed this case without prejudice on January 19, 2023. Dkt. # 6. Plaintiff filed the instant motion the following day, explaining that the "oversight was in part due to the new rules removing the need for filing proof of service." Dkt. # 7 at 1. Plaintiff also filed an Affidavit of Service along with the motion. Dkt. # 7-1.

The Court will grant Plaintiff's motion, but advises that any further and unreasonable delay may result in the dismissal of this case with prejudice, as the Court makes great efforts to

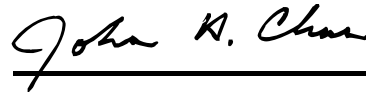
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1 ensure that Social Security cases are resolved in a timely fashion. Thus, it is hereby ORDERED:

- 2 • The Court reopens this case.
- 3 • The Court accepts Plaintiff's Affidavit of Service.
- 4 • Defendant shall file a certified copy of the Administrative Record and any affirmative
- 5 defenses within 60 days of the date of this order.

6 DATED this 23rd day of January, 2023.

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9 John H. Chun
10 United States District Judge

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